

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

**BASF AGRO B.V., ARNHEM (NL),  
WÄDENSWIL BRANCH; and BAYER  
S.A.S.,**

**Plaintiffs,**

**v.**

**CHEMINOVA, INC.,**

**Defendant.**

**Civil Action No. 10-274**

**JURY TRIAL DEMANDED**

**NON-PARTY MERIAL LIMITED'S MOTION TO SEAL DOCUMENTS**

Pursuant to Fed. R. Civ. P. 26(c) and the Stipulated Protective Order (D.I. 40) issued August 27, 2010 in the instant case, Merial Limited hereby moves this Court to file the following documents under seal:

- Memorandum in Support of Non-Party Merial Limited's Unopposed Motion to Intervene and to File Complaint;
- Exhibit 5 to Non-Party Merial Limited's Unopposed Motion to Intervene and to File Complaint; and
- Exhibit 6 to Non-Party Merial Limited's Unopposed Motion to Intervene and to File Complaint.

These documents should be filed under seal because they reference and contain highly confidential information which relates to especially sensitive business, financial or

commercial information that is not publicly available and provides a commercial advantage to its possessor.

For the foregoing reasons and for good cause shown, Merial respectfully requests that this Court grant its motion and file these documents under seal.

Respectfully submitted this 13th day of October, 2010.

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**CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed **NON-PARTY MERIAL LIMITED'S MOTION TO SEAL DOCUMENTS** with the Clerk of Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants.

Dated: October 13, 2010

/s/ Jitendra Malik

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